



RCE 16447

PTO/SB/30 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/020,139-Conf. #7037
	Filing Date	December 18, 2001
	First Named Inventor	D. R. Duan
	Art Unit	1644
	Examiner Name	M. Belyavskyi
	Attorney Docket No.	PF348C1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. Other _____

b. Enclosed

i. Amendment/Reply iii. Information Disclosure Statement (IDS)

ii. Affidavit(s)/Declaration(s) iv. Other _____

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. Other Return Receipt Postcard; Request for Interview

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-3425

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17)

iii. Other _____

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Melissa J. Pytel	Registration No. (Attorney/Agent)	41,512
Signature	August 28, 2003		

08/29/2003 SSITHIB1 00000109 083425 10020139

01 FC:1801 750.00 DA



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,680.00)
Complete if Known

Application Number	10/020,139-Conf. #7037
Filing Date	December 18, 2001
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METHOD OF PAYMENT (check all that apply)
 Check Credit Card Money Order Other None
 Deposit AccountDeposit Account Number **08-3425**Deposit Account Name **Human Genome Sciences, Inc.**

The Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments

 Charge any additional fee(s) during the pendency of this application

 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE****Large Entity** **Small Entity**

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee
1002	330	2002	165	Design filing fee
1003	520	2003	260	Plant filing fee
1004	750	2004	375	Reissue filing fee
1005	160	2005	80	Provisional filing fee

SUBTOTAL (1) (\$ 0.00)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	** =	x =	
Multiple Dependent	** =	x =	

Large Entity **Small Entity**

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description
1202	18	2202	9 Claims in excess of 20
1201	84	2201	42 Independent claims in excess of 3
1203	280	2203	140 Multiple dependent claim, if not paid
1204	84	2204	42 ** Reissue independent claims over original patent
1205	18	2205	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or cash	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	410	2252 205 Extension for reply within second month	
1253	930	2253 485 Extension for reply within third month	930.00
1254	1,450	2254 725 Extension for reply within fourth month	
1255	1,970	2255 985 Extension for reply within fifth month	
1401	320	2401 160 Notice of Appeal	
1402	320	2402 160 Filing a brief in support of an appeal	
1403	280	2403 140 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,300	2453 650 Petition to revive - unintentional	
1501	1,300	2501 650 Utility issue fee (or reissue)	
1502	470	2502 235 Design issue fee	
1503	630	2503 315 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1808	180	1808 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	750	2809 375 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810 375 For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801 375 Request for Continued Examination (RCE)	750.00
1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify)			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1,680.00)**SUBMITTED BY**

Name (Print/Type)	Melissa J. Pytel	Registration No. (Attorney/Agent)	41,512	Telephone	(301) 610-5764
Signature				Date	August 28, 2003



Applicant Initiated Interview Request Form

Application No.: 10/020,139-Conf. #7037 First Named Applicant: D. R. Duan
Examiner: M. Belyavskyi Art Unit: 1644 Status of Application: Published

Tentative Participants:

(1) Melissa J. Pytel (2) Bernard J. McDonald
(3) _____ (4) _____

Proposed Date of Interview: September 29, 2003 Proposed Time: 10:00 AM (AM/PM)

Type of Interview Requested:

(1) Telephonic (2) Personal (3) Video Conference

Exhibit To Be Shown or Demonstrated: YES NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
Rejection Under 35 U.S.C. §112, (1) <u>1st paragraph</u>	Claims 1- 14, 18-34 and 36	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Continuation Sheet Attached

Brief Description of Arguments to be Presented:

An interview was conducted on the above-identified application on _____

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP §713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

 8-28-03

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)



Docket No.: PF348C1
(PATENT)

16/Recovz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Duan et al.

Application No.: 10/020,139

Group Art Unit: 1644

Filed: December 18, 2001

Examiner: M. Belyavskyi

For: Polynucleotides Encoding Human Parotid
Secretory Protein (As Amended)

SUPPLEMENTARY REPLY TO PAPER NO. 15

Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to the Advisory Action mailed May 28, 2003, please consider the following remarks. Submitted concurrently herewith are: (a) a Fee Transmittal Sheet accompanied by the appropriate fee; (b) a Three Month Request for Extension of Time Under 37 C.F.R. § 1.136(a); and (c) a Request for Continued Examination.

Applicants respectfully request a personal interview with the Examiner prior to further action on this application.